

Remarks

The Examiner rejected claims 1, 7, 18, 28, 30 and 31 as being anticipated under 35 USC § 102 by U. S Patent No. 5,079,856 to Truelsen ("Truelsen"). Due to the foregoing amendments and following remarks, these rejections should be withdrawn.

All claims require an outer surface of an outsole that is generally parallel with and adapted to be in contact with a walking surface, and an opening that is unobstructed in a location at least partially defined by a bottom perimeter of the plug and a distance between the bottom perimeter and the outer surface of the outsole.

Truelsen does not disclose both an outer surface of an outsole that is generally parallel with and adapted to be in contact with a walking surface, and an opening unobstructed in a location at least partially defined by a bottom perimeter of the plug and a distance between the bottom perimeter and the outer surface of the outsole. In fact, Truelsen teaches that the outer surface of the outsole is at an angle with the walking surface and not generally parallel with the walking surface. See figure 2 of Truelsen. Moreover, such an angle is required in Truelsen in order for there to be an unobstructed clearance 11 beneath Truelsen's plug 2. Without the angle, the plug 2 would come in contact with the walking surface, thereby eliminating the unobstructed clearance.

Applicant's claimed invention is critically different in that the unobstructed opening 13 beneath the plug 16 is present when the outer surface of the outsole is generally parallel with and in contact with the walking surface, or in other words flat against the walking surface. Hence, the outer surface of the outsole need not be angled, as is required in Truelsen, in Applicant's invention. Applicant's unobstructed opening is achieved by it being in a location at least partially defined by a bottom perimeter of the

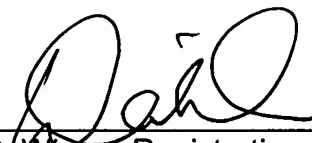
plug and a distance between the bottom perimeter and the outer surface of the outsole.

Because Truelsen fails to disclose an outer surface of an outsole that is generally parallel with and adapted to be in contact with a walking surface, and an opening that is unobstructed in a location at least partially defined by a bottom perimeter of the plug and a distance between the bottom perimeter and the outer surface of the outsole, all limitations of Applicant's claims are not anticipated and Applicant respectfully requests the rejections under 35 USC § 102 be withdrawn.

Based on the foregoing, Applicants' submit that all claims are allowable and that all rejections be withdrawn.

Respectfully submitted,

March 30, 2006



Gene S. Winter, Registration No. 28,352
David Chen, Registration No. 46,613
Attorneys for Applicant
ST. ONGE STEWARD JOHNSTON & REENS LLC
986 Bedford Street
Stamford, CT 06905-5619
203 324-6155